

10. 32

LAWES AND ORDI- nances touching military discipline.

Set downe and established the 13.
of August. 1590.

H. Netherlands, &c. Staten Generaal

Translated into English by I. D.



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tie Lords the Stats Generall. Anno 1631.

Cum Privilegio.



WHereas by daily experience, many disorders are found, to growe amongst those that beare armes, tending to the great damage of these Countreys, and prejudice of the gouuernemēt thereof, which notwithstanding are not any where so punished as in reason they ought, because there is no certaine order, or lawe touching like matters as yet decreed and published: The States general of the vnyted Provinces have there-

fore (with th' advyce of the Councel of State of the same) ordayne, appointed, and decreed, doe by these presents ordayne, appoint, and decree the orders or laws here ensuing, which their wil is, to have from point to point strictly observed and followed by all those that beare armes in their service, To which ende it shalbe every where published, and accordingly sworne to by the souldiours.

I.

First he that shal take the Lordes name in vayne, or blaspheme the same, shal for the first tyme make an honorable amends, and be kept three dayes in prison at bread and water: The seconde tyme shal have a glowing iron thrust through his tongue, thē be stripped to his shirte, and so banished out of the vnyted Provinces.

II.

The like penalty shal they incurre, for the first and second tymes, who shal eyther doe or say ought in despyte, or derision of Gods worde, or the Ministers of the Church.

III.

All wilfull murthers, rapes, adultery, fying of houses, thevery, violence, outrage, falshood, and other like bad facts, and open offenses; or vnnaturall abuses, shalbe punished with death.

IIII.

None shall any way outrage, stryke, knocke, beate, threaten or dishonestly touch any widowes, maryed or vnmaryed womē, such as are in childebed, or with child, nor any young children, on paine to be discharged without money or pasporte, or els punished corporally according to the quality of the offense. Likewyse all common whores shal for the first tyme bee expulsed out of the Campe with shame, and being founde there the second tyme, soundly whipped and banished.

V.

He that shal have done or conspyred ought against the States, the Countrey, Townes, or other places thereof, or against any Governours, or Captains in the same, whereby the publike state of the Land may be in any sort endammaged, or endangered: as also whosoever shal consent therevnto, shal without any mercie bee hanged.

VI.

The like punishment shal they also incurre, whosoever coming to the knowlegde of any such matter, shall not reveale it to their Captaine, or chieff Officers.

VII.

None shall rayse any mutiny, or make any vnlawful assembly, on whatsoever secreet, cloaked, or other purposes: nor for what cause soever it be, without order frō their Commaunders, on paine of hanging.

VIII.

In like sort shal they also bee punished, that shalbe present at such assemblies, or call, stir vp, and incite any to be present thereat. And is to be vnderstood also, that such Officers as shalbe at the lyke seditious meetings, shall receyve punishment before all other souldiours, except those (that are noe authors thereof)

IX.

He that shall speake ill of the States generall, or particular, the Councel of State, or other Superiours, or shall speake ought to despise or deride any of them, shal without mercy be punished with death.

X.

He that shal have spokē any wordes tending to seditiō, mutiny, or disobedience, or that having heard such wordes, and shal not presently acquaint his Cap. therewith, shalbe punished with death.

XI.

In like sorte shal they also be punished, who rehearse any such words in presence of private souldiours, eyther of themselves, or by suggestion of others, or practise ought, whereby any mutiny or sedition may growe.

XII.

No man, be yt out of garded, or besieged places, or in other like cases, shal vse any speech or correspondence with the enemye, nor send him any messages or Letters, nor receive any from him, nor deale in like sorte with any of his confederates, bee it in secreete or publicque, without the consent first had of his Gouvernour or Cap. or that he make it forthwith knowne vnto him, vnlesse he be thereto aucthorised. Neyther shall any man be adherent or in
any

any sorte assistant to the enemy, on payne of death.

XIII.

Likewyse none shal conferre or converse with any Trompet or Drumme of the enemyes, or any other sent on message from him, but they onely who are thereto appointed, on paine of death.

XIII.

None shall in going, departing, lying still, mustering, or in garnison doe outrage or spoyle to the inhabitants of these Countreys, their favorours or confederates, or take frō them any victuals, money, or ought els, without paying duely for the same, nor yet throw downe, or spoyle any water-mills or water-works, nor set on fyre thesame, or other houses, or els the campe, at the breaking vp thereof, without special commaund frō the General, or other Chiefe Officer, on payne of death.

XV.

Like wyse none shal eyther doe or practise ought against any persons, Townes, Villages, Forts, Havens, or whatsoever goods warranted by pasportes or other assurances from the Generality, on payne of death.

XVI.

He that wil departe from one Company to another, or elswhere, or will leave the Colours vnder which he serveth, is to have a sufficient passport from his Cap. or Commaunder, and sayling therein, shalbe punished with death.

XVII.

What soever Cap. shall entertayne souldiours without a lawfull discharge from their former Cap. shalbe punished with death.

XVIII.

If any souldiour (serving on horssse or foote) shal knock or stryke his host, hostesse, their man or mayde-servant, he shal for the first tyme be kept three dayes at bread and water, the second, make an honourable amendes, and before the whole watch bee disarmed, and then banished out of the Company, And if the party so striken be maimed, or bloud drawne, then shal the souldiour offending have his hand striken of.

XIX.

Whosoever shal have taken or stolne any victuals, or other provisions brought vp, towards the Camp, Garnison, or any Towns, or places vnder the jurisdiction of the States generall, shalbee hanged.

XX.

Likewyse none shal out of the Campe or Garnison forcibly take or els buy vp before hande, any victuals or goods bound thitherwardes, before thesame shalbe brought to a fit place for sale, and taxed: Neyther shall he
robbe

robbe any cabbin , shop , tent , Viſtualer , or Marchand that is there for the helpe of the Campe or Garniſon, on payne of death.

XXI.

He that ſhal goe out of the quarter from his Colours, or Garniſon, further then a Canon-ſhot, without his Cap. leave, ſhalbe puniſhed with death.

XXII.

Whoſoever ſhal goe out of the Campe, beſieged towne, fort or other place, without the ſpeciall conſent of his Cap. or Officer , for any cauſe , bee it for forrage or ought els, ſhalbee hanged.

XXIII.

Whoſoever ſhal take any Cattaille , or beaſts within the landes that lye vnder the obedience of the Generality, ſhalbee puniſhed as a Theife.

XXIII.

He that in marching by lande towards the felde , or in retourning thence, ſhal forſake his Colours or Cornet, ſhall without any mercy be puniſhed with death.

XXV.

And whoſoever (not being viſited with manifeſt ſicknes , and theſame knowne to his Cap. or Commaunder) ſhal keepe along with the baggage, or ryde on the waggons, ſhalbe diſarmed before the whole Company, and then baniſhed without money or paſport.

XXVI.

If any ſhal negle& his watch , or other ſervice committed vnto him , he ſhalbe puniſhed with death.

XXVII.

If any ſouldiour ſhalbe founde ſleeping on his ſentinel , he ſhall without any mercy be puniſhed with death.

XXVIII.

Whatſoever ſouldiour ſhal , eyther by day or night departe from his ſentinel, where he hath bene placed by his Corporall, vnles he be called thence, or relieved by the ſaid Corporall, ſhall receive puniſhment of death without any mercy.

XXIX.

None ſhal declare or make knowne the watch-word to the enemy, or any other , nor give any other worde then is given him by the Officer, on payne of death.

XXX.

Whoſoever ſhal abſent himſelfe out of the Courte of garde above two houres in the day tyme , or any with in the night without his Corporals leave,

leave,shalbe punished with death.

XXXI.

None shal without lawful cause rayse any tumult,or alarme, nor discharge a peece by night, nor make any noyse, nor doe ought els, where by the same may growe (without cause) on payne of death.

XXXII.

He that shall presume within the Campe, Quarter, or place, where he lyeth in garnison, as also after the watch is set, to drawe his weapō shal forfeit his lyfe: as also yf he do it out of the Camp, Towne, or place, without leave of his Officer.

XXXIII.

He that shall stryke any man with his sworde vndrawne, or with a cudgel,stone,or otherwyse,that bloude followe,shal loose his hande.

XXXIII.

He that shal give any one a boxe on the eare,shal in presence of the Company take the lyke boxe agayne of the party so wronged, and besydes be disarmed and banished the Company.

XXXV.

No souldiours shal without order from their Chiefs, Captaines, or Commanders hold any common meeting or gathering together, bee it to demaund money or ought els, nor yet be present at such assemblies, on payne of death. Provyded always, that such Capt. or Commanders as shal suffer the same to happen at vndue seasons, and in vnlawfulwise, shall (for an example to others) bee punished with death before all the souldiours.

XXXVI.

If any shall call for money as they are marching in the face of the enemy, or vpon any enterprise, they shal receive punishment of death without any mercy.

XXXVII.

If yt chance that the Monethly entertainment bee not payed on the very day, or that it cannot bee sent vnto the souldiours for some cause, be it through any hinderance of the enemy, or otherwise, none shall therefore make any tumult,or speake seditious wordes, or seeke to force his Captaine to the payment thereof, neyther yet any whit the lesse discharge and haue care of his marches and watches, but contenting him selfe with a reasonable loane, vntil the money become, or maye come shall fully performe the dutie required of a good souldiour. And whosoever doth the contrarie, or accompanieth those that doe it,shalbe punished with death.

No

XXXVIII.

No Captaines, Lieutenants, or Ensignes shal departe out of the place where their Companies lye in garnison, whether it bee to sollicite for payment of their said Companies, or for their owne busines, without leave of their Commaunder or Governour, on payne of death.

XXXIX.

He that shal in anie quarrell, fight, or otherwise call those of his nation to helpe, or gather an assemblie, shalbe hanged.

XL.

He that shalbe found by day or night out of the campe or place besieged, without his Captaines leave, shalbe punished with death.

XLI.

Whosoever shal goe on fre-booting, and commit spoyles, extorfions, and theif, shalbe hanged.

XLII.

If one souldiour chalenge another into the felde, without leave from him that commaundes in that quarter, hee shalbe punished with death.

XLIII.

If any Corporal or other commaunding the watch, shall suffer tow souldiours to goe soorth to fighte, he shall without mercy be punished with death.

XLIIII.

Any souldiour being wronged by worde or deede he shall repayre to him that commaundes in the quarter, who after the hearing of both parties shall cause satisfaction of the wrong to be made vnto the party interessed, with bare heade, and in presence of the whole watch: And yf he finde cause, shal also disarme the wrongdoer, and banish him out of the Company.

XLV.

And yf there bee no witnes of the quarell, then shall the sayde Commander cause the parties to agree in his presence, whereto yf they will not condescende, then both, or hee that denyes it, shalbe disarmed and banished out of the Company.

XLVI.

Whatsoever souldiour or Commaunder shal goe out of the camp, Towne, or fort, or enter thereinto by any other way, then at the ports and and ordinary entrances, shalbe hanged.

XLVII.

If any souldiour shall refuse the commaund of his Cap. or any other, who commaundes over him in the seruice of the States General, and not performe

forme thesame, hee shalbe punished with death : as hee like wyse shal , who transgresseth any off the Generals commaundements published by sound of dromme or trompet.

XLVIII.

At the sounding of any alarme every one shall resorte to his Ensigne , or Cornet, and whosoever comes not thither (vnlesse it be on apparant necessitie) or runnes to an other place without consent and speciall order from his Commaunder , or comes not so soone as his Ensigne , shalbe punished with death.

XLIX.

Every souldiour shal ayde and defende his Couleours by day and night, and on the first warning repayre vnto them , not departing thence , vntill it bee brought into a place of safety, on payne of death.

L.

If any shal depart out of the order, or rancke wherein he is placed, vnlesse it bee on necessary occasions , and that he hath therewith acquaynted his Officer, hee shalbee punished with death.

LI.

Hee that shall first beginne to flye in a battaile or assault , may lawfully be slayne thereupon by any one : And yf he escape , hee shalbee declared a villayne, and receive punishment of death without mercy.

LII.

None that is appoynted to the defense of any breach, trenche, or skonce, bee it Cap. or Souldiour, shall willingly forsake thesame, or through any false or couloured occasions , or excuses absent himselfe from thence , without sufficient order , or warrant allowed by the Councel of warre , on payne of death.

LIII.

None shal surrender or deliver to th'enemy any place , the keeping whereof is committed vnto him, on payne of death.

LIII.

Likewyse none shal runne from his quarter in a besieged place , cry for composition , or speake thereof, bee vnwilling to fighte, labour , or defende their quarter, or make others vnwilling therevnto, or doe ought els in such a place , whereby the defense thereof may be hindered , on payne of death without any mercy.

LV.

If any man runne away to th'enemy , or in such his flight bee taken by th'enemy, hee shalbe punished with death.

LVI.

No Captaines shall seduce, or intyce away each others Souldiours, on payne of death.

LVII.

Whosoever shal by word or deede busfy himselfe with the Sergeant Maior doing his office, bee hee Captaine or Souldiour, shal without mercy be punished with death: As he also shal, who wil not content himselfe with that quarter, or lodging, whereto he shalbe appoynted by the Quartermaster or Furrier, or who will disturbe another man in his place.

LVIII.

If any souldiour having the wacth, shal come to his Colours not fully armed, to march with the rest vnto the watch, he shall for the first tyme, bee kept three dayes at breade and water: the second, disarmed and banished for three Moneths out of the Company, and the third tyme suffer death.

LIX.

Every one, of what condition soever he bee, shall foorthwith or before the evening bring before him that commaundes in the quarter, al such prisoners as shalbe taken of th'enemy, on payne of forfeiting the sayde prisoners, and to bee punished besydes with death;

LX.

And yf any shall take prisoner a Generall, Commaunder, or other man of accompt of th'enemy, he is foorthwith to present, or cause to bee presented the sayd prisoner vnto the States generall or Councell of State, and with-all to deliver him over, as also whatsoever other prisoners they wil take to themselves, receyving therefore a reasonable rewarde according to the quality and ability of the prisoner: provyded that it exceede not the somme of 5000. gilderns: And so the sayd prisoner shalbe at the disposing of th'aforsayd States, and he that tooke him, pretende no farther interest in that behalfe.

LXI.

Likewise none shal kil any prisoner, or set his rancome, or after the payment of the sayd rancome, suffer him to departe without leave of the General, or him that commaundes in the quarter, on payne of being disarmed, and banished out of these Countreys.

LXII.

And yf any prisoners bee founde, walking along the Campe or place of garnison, without leave of the General, or him that commaundes there, he to whom the prisoner belongeth, shall forfeite him to those, who shal first lay handes on the sayd prisoner.

Concerning

LXIII.

Concerning lawful pryzes, whosoever bring in the same, shall acquainte therewith the Generall, or him that commaundes in the quarter, within three houres after their retourne, to th'ende they may bee accordingly registred, on payne of forfeiting the same, and to be besides punished on the bodie.

LXIII.

Whosoever shal haue gotten any thing vpon the enemy, and giveth not notice thereof as aforesayde, that it may be registred, and after solde in the Campe or place of garnison, but shall sel, or cause it to be sold in the places or townes neare therevnto, shall without any mercy bee punished with death, to th'ende that better order be held in all, and no man wronged in his righte.

LXV.

When a souldiour shall have done any offense or faulte, his Captaine shalbe bounde (on payne of three moneths suspension from his charge) to deliver the sayd souldiour into the Generals handes, or his that commaundes in the quarter, who with the Captaines, Lieutenants, and Ensignes then present, shal vpon th'information, which hee shal cause to be taken thereof, judge according to these orders and lawes.

LXVI.

He that is droncke on his watch-day, shalbe cassiered, and banished out of the Company.

LXVII.

Item yf any one drinke himselfe druncke, and in his drunckennesse commit any ill or ought forbidden, hee shal not thereby bee excused, but so much the more sharply punished.

LXVIII.

If any Cap. or souldiour shall refuse the muster or reviewe, hee shalbe cassiered.

LXIX.

None shal at the muster let himselfe be entred by a changed, or other name, then his owne, nor passe muster with a borrowed horse or armes: neyther shal any on the musterday lende the like, on payne of being disarmed and banished out of the Company.

LXX.

None shal let himselfe be entred, or muster vnder towne Companis, on payne of death.

LXXI.

None shal diminish or pawne his armes , which are appointed him by his Captaine, on payne of being disarmed, and banished for sixe moneths out of the Company.

LXXII.

None shal likewyse take or pawne any souldiours armes , on payne of loosing double the worth of the pawne.

LXXIII.

None shal play away or quyte his armes , but keepe thesame alwayes cleane and serviceable , on payne of being cashiered out of the Company without passport.

LXXIII.

None shall by couzenage get away his fellowes provisions , victuals , or armes , on payne of being disarmed , and banished for three moneths out of the Company , or els besydes , of sustaining corporal punishment according to the quality of th' offense.

LXXV.

He that shal presume to set vpon a Commissary of the musters , or wrōg him either in word or deede, shalbe punished with death.

LXXVI.

If any Captaine give his souldiours lesse then the pay allowed him by the States, he shalbe disgraded.

LXXVII.

If any souldiour proffer to drawe his weapon against his Chief, or Commaunder, he shalbe punished with death.

LXXVIII.

If the Provoost or his Officers apprehende one or more souldiours , none (of what degree soever) shall oppose himselfe thereagainst , or reskewe , or attempt to reskewe the sayd prisoners, on payne of death.

LXXIX.

Furthermore , no Officer nor Gentleman of any Company , of horffe or foote , nor any common souldiour shal victaile in any Camp , without the Generals special consent, on payne of being disarmed.

LXXX.

Likewyse al Victualers that victual in the Campe , shalbe subject to th' aforesaid articles and the Councel of warre there being , on the penalty here in contayned , and shall not draw any wyne or beere for any one in the evening, an houre after the Sunnes setting, or in the morning asmuch before the ryling thereof , on payne of forfeiting 3 gilderns for every tyme they shalbe

shalbe founde to have done so: the sayd forfeit to be converted, th'one halfe to the Provosts behoofe, and th'other to the reliefe of the poore.

LXXXI.

All other abuses and offenses not specified in these Orders, shalbe punished according to the ordinances, lawes, and customes of the warre.

LXXXII.

And yf any souldiours should not bee present at the proclayming of these orders and lawes, they shall notwithstanding bee asmuch bounde to th'observation of them as the other who were present. But to th'ende none may pretende ignorance, and every one have notice thereof, the States generall have given order, that thesame shalbee every where published on the muster-day, and charged the Commissaries to cause all the souldiours to sweare accordingly therevnto.

THus done and decreed at Arnhem after sundry conferences had herevpon with the chiefest Commaunders of these vnitd Provinces. It being farther appoynted, that these orders and lawes shalbe published both in the Campe, and wheresoever els it shalbe meete and requisite, and that at every muster the Commissaries shal reade, and propound the same agarne vnto the Companies. The 13. of August 1590.

By order of the Councell
of State.

Chr. Huyghens.